

# **EXHIBIT B**

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In re:

KAE-PUN YI a/k/a  
KAEPUN YI a/k/a KATHY YI,

Chapter 7  
Case No. 14-75101 (REG)

Debtor.

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**ORDER AUTHORIZING THE TRUSTEE,  
UNDER THE SUPERVISION AND WITH THE  
ASSISTANCE OF THE UNITED STATES MARSHAL, TO TAKE  
ALL NECESSARY STEPS TO TAKE POSSESSION OF THE COOPERATIVE  
APARTMENT LOCATED 2449 UNION BOULEVARD, APT. 29A, ISLIP, NEW YORK**

Upon the order of the Court, entered on \_\_\_\_\_, 2017 granting the motion (the "**Motion**") of Kenneth P. Silverman, Esq. (the "**Trustee**"), the Chapter 7 trustee of the estate of Kae-Pun Yi a/k/a Kaepun Yi a/k/a Kathy Yi (the "**Debtor**"), by and through his counsel, SilvermanAcampora LLP, seeking the entry of an order authorizing the Trustee, under the supervision and with the assistance of the United States Marshal, to take all necessary steps to take possession of the cooperative apartment known as, and located at, 2449 Union Boulevard, Apt. 29A, Islip, New York (the "**Property**"); and granting such other relief as this Court deems just and proper; and upon the order of the Court, entered on \_\_\_\_\_, 2017, authorizing the Trustee to sell the Property vacant, and the enforcement of that order not having been stayed; and upon an Affidavit of Non-Compliance<sup>1</sup> having been served on the Debtor and the Office of the United States Trustee and filed with the Court; and upon the Affidavit of Service of the Affidavit of Non-Compliance; and the Court having found that the entry of this order is fair and reasonable and in the best interest of the estate and its creditors; and sufficient cause having been shown therefore; and no additional notice being necessary or required; and after due deliberation by this Court;

**IT APPEARING**, that the Debtor is in non-compliance with the terms of the Turnover Order;

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<sup>1</sup> All capitalized terms not otherwise defined herein shall have the same definitions as respectively assigned in the Turnover Order.

**IT FURTHER APPEARING**, that the Debtor remains in possession and control of the Property past the Turnover Deadline;

**IT FURTHER APPEARING**, that the Debtor continues to use and occupy the Property past the Turnover Deadline;

**IT FURTHER APPEARING**, that a copy of the Affidavit of Non-Compliance and this order in proposed form having been provided to the Debtor and the Office of the United States Trustee;

**IT FURTHER APPEARING**, that no other or further notices need be given;

**IT FURTHER APPEARING**, that service of the Affidavit of Non-Compliance and notice thereof constitutes good and sufficient notice as evidenced by the Affidavit of Service, dated \_\_\_\_\_, 2017 and filed with the Court;

**AND AFTER** due deliberation having been had, and good and sufficient cause having been shown;

**IT IS HEREBY FOUND THAT<sup>2</sup>,**

1. The Sale Order is not stayed.
2. The Trustee properly served the Affidavit of Non-Compliance and this order in proposed form in accordance with the Turnover Order.
3. The Debtor did not turn over the Property and keys to the Trustee on or prior to the Turnover Deadline, and remains in possession, control, use and occupancy of the Property.

**NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that:

1. As of \_\_\_\_\_, 2017, the U.S. Marshal is authorized to take all necessary steps, using whatever force necessary, including breaking open, entering and searching for the Debtor's personal property, located at, 2449 Union Boulevard, Apt. 29A, Islip, New York to secure and remove the Debtor and her personal property from said premises. Kenneth P. Silverman, Esq., in his capacity as the chapter 7 trustee, is responsible for the transport to the appropriate/designated storage facility to place said property, unless otherwise abandoned by the Trustee.

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<sup>2</sup> Findings of fact shall be construed as conclusions of law and conclusions of law shall be construed as finding of fact when appropriate. See Rule 7052 of the Federal Rules of Bankruptcy Procedure.

4. The Debtor's Chapter 7 estate, on whose behalf the Court issues this Order, will act as substitute custodian (through the Chapter 7 Trustee, solely in that capacity) of any and all items seized pursuant to the Order and the Debtor's Chapter 7 estate shall hold harmless the U.S. Marshals Service and its employees from any and all claims, asserted in any Court or tribunal, arising from any acts, incidents, or occurrences in connection with the seizure and possession of the Debtor's property, including any third-party claims.

5. Anyone interfering with the execution of this Order is subject to arrest by the U.S. Marshals Service.

6. Kenneth P. Silverman, Esq., solely in his capacity as the chapter 7 trustee, will account completely for all personal property seized and/or found at the Property and shall compile a written inventory of all such property and shall provide a copy to the U.S. Marshal, who shall include such a copy with his return to the Court.

7. Kenneth P. Silverman, Esq., solely in his capacity as the chapter 7 trustee, be, and hereby is, authorized and directed to take such steps, execute such documents and expend such funds as may be necessary to effectuate and implement the terms and conditions of this Order.